



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/645,413

Filing Date

August 21, 2003

First Named Inventor

Charles L. Branch

Art Unit

3733

Examiner Name

James L. Swiger III

Attorney Docket Number

MSDI-214/PC365.06

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	November 26, 2007	Reg. No.	45,431

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name		Date	November 26, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

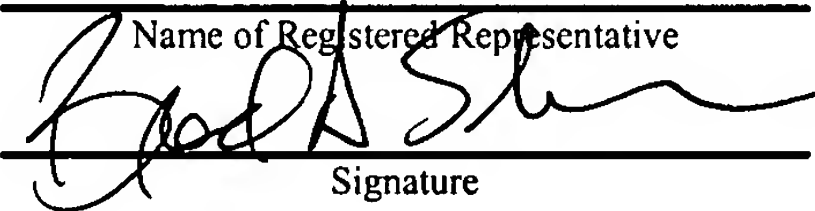
In re patent application of:)	Before the Examiner:
Charles L. Branch et al.)	James L. Swiger III
)	
Application Serial No. 10/645,413)	Group Art Unit 3733
)	
Filed: August 21, 2003)	Ref. No. MSDI-214/
)	PC365.06
)	
INTERBODY FUSION GRAFTS)	November 26, 2007
AND INSTRUMENTATION)	

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated August 24, 2007, please consider the following amendments and remarks. The three-month response period for responding to the non-final Office Action expired on November 24, 2007, which fell on a Saturday, thereby extending the three-month response period to November 26, 2007 (the first business day after November 24, 2007). Please charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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INTRODUCTORY COMMENTS

Claims 50-55 and 63-79 were pending in the subject application for the non-final Office Action mailed on August 24, 2007. Each of the pending claims has been rejected on various grounds. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.